IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINALL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.253 OF 2004

Ramesh Hindurao Desai
& Others ..Petitioners

vs.

The State of Maharashtra ..Respondent

None present for the petitioners.

Mr.B.H.Mehta, APP for the Respondent.

CORAM : R.M.S.KHANDEPARKAR, J.

DATED : 25th January, 2005.

P.C. :

1. None present for the petitioners. Time and again the matter was adjourned on account of failure on the part of the petitioner to remain present in the matter, or to make arrangement for appearance of their advocate in the matter. Apparently the petitioners do not seem to be interested in proceeding with the matter in this matter. Besides, the challenge in the petition is merely to framing of the charge and certainly the petitioners can defend the charge in the trial court. In any case, merely because elaborate

order has not been passed while framing the charge, that would not be a justification for interference in the order of framing the charge. The law in that regard is well settled by the decision of the Apex Court in the matter of **Umar Abdul Sakoor Sorathia vs. Intelligence Officer, Narcotic Control Bureau, reported in (2000)1 SCC 138 as well as in the matter of Kanti Bhadra Shah & Anr. vs. State of West Bengal reproted in (2000)1 SCC 722.** Considering the same, there is no case for interference in the impugned order in exercise of writ jurisdiction under Article 227 of the Constitution of India. Hence, the petition is rejected.

(R.M.S.Khandeparkar, J.)